

THE HONORABLE BARBARA J. ROTHSTEIN

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

JACK PRECOUR, WILLIAM CAPTAIN REED,
CESAR LOPEZ, TOMASINA ENOCH,
MARSHALL P. JONES, JR., and CORNELIA
CLAY FULGHUM, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

T-MOBILE USA, INC.,

Defendant.

No. 2:21-cv-01415-BJR

**STIPULATED MOTION AND ORDER
TO STAY PROCEEDINGS PENDING
JPML'S RULING ON TRANSFER**

**STIPULATED MOTION AND ORDER
TO STAY PROCEEDINGS
(No. 2:21-cv-01415-BJR) - 1**

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1 Under Western District of Washington Local Rules 7(d)(1) and 10(g), Plaintiffs Jack
2 Precour, William Captain Reed, Cesar Lopez, Tomasina Enoch, Marshall P. Jones, Jr., Cornelia
3 Clay Fulghum, and Diego Quintanilla, and Defendant T-Mobile USA, Inc. (together “the Parties”),
4 hereby stipulate to stay all proceedings and deadlines in this action until the Judicial Panel on
5 Multidistrict Litigation (“JPML”) rules on the pending motion to transfer under 28 U.S.C. § 1407
6 (“MDL Petition”). *See In re: T-Mobile Customer Data Sec. Breach Litig.* (“*In re: T-Mobile*”),
7 MDL No. 3019 (ECF No. 1). In support of this stipulated motion, the Parties state:

8 Plaintiffs filed this case on October 15, 2021. *See* ECF No. 1. In a related case, this Court
9 recently granted T-Mobile’s motion requesting a stay pending the JPML’s ruling on the MDL
10 Petition, finding:

11 Any delay arising from a stay is likely to be short, and Plaintiffs
12 have not demonstrated that any significant prejudice would result
13 from a short stay. A stay is also likely to conserve judicial resources,
14 as well as the parties’ resources, until the JPML decides whether
(and if so, where) to transfer the dozens of similar cases for
coordinated or consolidated pretrial proceedings.

15 *Daruwalla v. T-Mobile USA, Inc.*, No. 2:21-cv-01118-BJR (W.D. Wash. Oct. 29, 2021) (ECF No.
16 39). The Parties therefore respectfully request that the Court enter a short stay of all proceedings
17 here until the JPML rules on the MDL Petition.

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1 Dated: November 10, 2021

2 By: /s/ Steve Y. Koh

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22
23
24 STIPULATED MOTION AND ORDER
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By: /s/ Kim D. Stephens

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ORDER

IT IS SO ORDERED.

Dated this 12th day of November, 2021.

s/Barbara J. Rothstein

Barbara J. Rothstein
U.S. District Court Judge

Presented by:

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